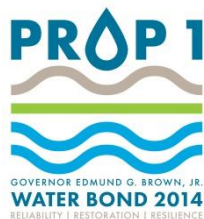


SEAC October Meeting

Date: October 7, 2015

California Department of Water Resources
Division of Integrated Regional Water Management
Financial Assistance Branch



Presentation Summary

- * Scoping Meeting Re-cap
- * DWR Meeting/Workshop Format
- * AB 52 Tribal Consultation
- * Prop 1 Intent, Provisions & Considerations
- * DAC Projects
- * Final Questions/Closing
- * SB 985

Public Scoping Workshop Re-cap

- * Friday September 18th
- * 10am to 11:30am (1.5 hours)
- * 42 participants engaged online
 - * received 260 clicks on our video link
- * 22 in-person participants
- * As of today, received nearly 100 written comments

Applicant Workshop Format

- * More online participation in workshops
- * Are workshops the appropriate assistance for applicants?
- * Are there workshop aspects that we can do differently?
 - * Timing with solicitation
 - * In-person versus webcast
 - * Format of presentations and discussion of comments and public feedback
 - * Location of workshops

AB 52 Tribal Consultation

- * Public Resources Code (PRC) Chapter 532
 - * “Native Americans: California Environmental Quality Act”
- * New category of cultural resources
 - * “tribal cultural resource” (PRC §21074)
- * Requires consultation with “California Native American Tribes” (PRC §21074) for projects that have a Notice of Preparation or Notice of Negative Declaration/MND filed on or after July 1, 2015

AB 52 Tribal Consultation

- * Step 1: A tribe must request formal notification in writing to be notified by lead agencies of proposed projects (PRC §21080.3.1(b))
- * Step 2: Within 14 days of decision to undertake project Lead Agency contacts California Native American tribe (PRC §21080.3.1(d))
- * Step 3: California Native American tribe has 30 days to respond with request of consultation (PRC §21080.3.1(d))
 - * may include alternatives to the project, recommended mitigation measures, or significant effects (PRC §21080.3.2(a))

AB 52 Tribal Consultation

- * Step 4: Within 30 days of receiving request of consultation, Lead Agency shall begin “consultation process” (§21080.3.1(e))
- * Consultation concludes when:
 - * The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource
 - * A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (§21080.3.2(b))

Proposition 1 Chapter 4 Intent

CWC 79707

- * State and local water agencies will use the best available science
- * Special consideration of new or innovative technologies or practices
- * Preserving working agricultural and forested landscapes wherever possible
- * Projects cannot adversely effect Wild and Scenic Rivers
- * Priority will be given to projects that leverage funding or provide the greatest public benefit

IRWM Provisions & Considerations

- * CWC 79742 (e): *For the purposes of awarding funding under this chapter, the applicant shall demonstrate that the integrated regional water management plan the applicant's project implements contributes to addressing the risks in the region to water supply and water infrastructure arising from climate change.*
- * How should DWR evaluate this at project level?

IRWM Provisions & Considerations

- * CWC 79742 (f): *Projects that achieve multiple benefits shall receive special consideration*
- * Is there reason why DWR should lessen the existing requirement that projects have multiple benefits?

DAC Projects & Implementation

- * What does directly benefit a DAC mean?
- * How should we address projects that have a portion of the project area as a DAC?
- * One or two rounds for Implementation?
- * Should regions be able to receive Prop 1 Implementation grant if they have an active Prop 50 or Prop 84 R1 Implementation grant?

Meeting Wrap Up

- * Final Questions or Comments
- * Additional topics related to Guidelines?
- * Next Meeting?

SB 985: Stormwater Resource Plans

- * Joe Karkowski & Sean McGuire
- * From the State Water Resources Control Board available for discussion on SB 985